

REMARKS

Claims 1-52 are pending in the application. Claims 1-52 have been rejected. Reconsideration and withdrawal of the rejections set forth in the Office Action dated November 30, 2005 are respectfully requested.

I. **Amendments**

Claims 1, 14, 27, and 40 are herein amended for the sole purpose of expediting the issuance of a patent. The applicants reserve the right to reintroduce the original claims in a later amendment or continuation.

II. **Rejections under 35 U.S.C. §103**

Claims 1-6, 8-19, 21-32, 34-45, and 47-52 are rejected under 35 U.S.C 103(a) as allegedly being unpatentable over Eylon et al. (U.S. Patent No. 6,574,618) (hereinafter "Eylon et al.") in view of Schmeidler et al. (U.S. Patent No. 6,374,402) (hereinafter "Schmeidler et al."). Claims 7, 20, 33, and 46 are rejected under 35 U.S.C 103(a) as allegedly being unpatentable over Eylon-Schmeidler as applied to claims 1, 14, 27 and 40 above, and further in view of Cheng et al. (U.S. Patent No. 6,457,076) (hereinafter "Cheng et al."). This rejection is respectfully traversed for the following reasons.

A. **The Prior Art**

Eylon et al. discloses a method and system for executing streamed applications from a server on a client system (see Abstract of Eylon et al.). Eylon et al. also discloses that the application to be executed is stored as a set of blocks or streamlets on a server (see col. 3, lines 57-59; Fig. 1). Eylon et al. does not appear to disclose the concept of converting a conventionally coded computer application program into a data set for streamed delivery over a network.

Schmeidler et al. discloses a method for distribution of data across networks (see col. 1, lines 26-31; Abstract). Schmeidler et al. also discloses a system for delivering on-demand content over broadband networks (Abstract).

Cheng et al. discloses systems and methods for updating software products from vendors on a client computer system (see col. 1, lines 11-15; Abstract). Cheng et al. disclose that users of the client computers select updates for installation (Abstract).

Cheng et al. also disclose a method of monitoring system changes made to the client computer resulting from the installation of a software update (col. 8, lines 62-66).

B. The Prior Art Distinguished

The preamble of claim 1 includes the language: "A process for converting a conventionally coded computer application program into a data set suitable for streamed delivery across a network from a server to a client in a computer environment[.]" Although the preamble is not necessary to breathe life and meaning in to the elements of claim 1, the language does clearly establish that the process is for converting an application, as opposed to streaming the converted application to a client.

Claim 1 includes the language "providing installation monitoring means for monitoring **an installation process** of said **conventionally coded application program** on a local computer system" (emphasis added). At page 5 of the Office Action, the Examiner states that Eylon et al. disclose "monitor and management, streamed application installation on a local system." It is respectfully submitted that Eylon et al. has nothing to do with monitoring an installation process of a conventionally coded application. Eylon et al. explain at column 3, lines 50 to 51, "The [streaming] application does not need to be installed on the Client PC." Indeed, streaming applications are not typically installed on a client, which is why Eylon et al. disclose streaming and execution of streamed applications, not the installation of conventionally coded application programs, on a client system. Similarly, Schmeidler et al. explain in the Abstract, "[t]he client process utilizes an installation abstraction which enables a title to be executed on the local computer system without ever being installed." Thus, Schmeidler et al. do not and have no reason to discuss the installation of a conventionally coded application program on the client.

Claim 1 includes the language "said installation monitoring means gathers modification information including system registry modifications that said installation process makes to certain file paths in a system registry of said local computer system[.]" The Examiner admits that Eylon et al. do not "specifically disclose the capability of redirecting registry information thereby creating a registry spoof capability." The Examiner relies on Schmeidler et al. to make up for this deficiency. However Schmeidler et al. suffers from the same deficiency as Eylon et al. Namely, both patents

fail to describe monitoring an installation process of a conventionally coded application. No mention at all is made of modifying certain file paths in a system registry, as in claim 1. Indeed, the applicants respectfully submit that requests are intercepted by Eylon et al. and Schmeidler et al. because the file paths are not changed in the registry during the streaming process described respectively therein.

Claim 1 includes the language "parameterizing said system registry modifications by replacing certain of said file paths in said system registry modifications with parameters that are recognizable by said client to redirect requests for reading said system registry to registry spoof[.]" Neither Eylon et al. nor Schmeidler et al. teach parameterizing the system registry modifications.

Claim 1 includes the language "providing data set creation means for processing said modification information for converting said application program into a data set suitable for deceiving said client into allowing streaming of bits of said data set over said network to said client such that said application program is capable of beginning execution on said client prior to downloading all of said application program." Eylon et al. and Schmeidler et al., on the other hand, do not describe the conversion of an application program into a data set for streaming.

Therefore, it is respectfully submitted that claim 1 is allowable over the Eylon et al. and Schmeidler et al. references, whether considered alone or in combination.

Claims 2-13 are allowable because they depend from an allowable base claim, either directly or indirectly. Furthermore, claims 2-13 recite additional features that independently render claims 2-13 allowable over the cited art.

For example, claim 7 includes the language "providing a user interface that allows an operator to examine all changes made to said local computer system during said installation process and edit said modification information." As discussed previously, the Eylon et al. and Schmeidler et al. (Eylon-Schmeidler) references have nothing to do with installation management of selected software, which is **streamed rather than installed**. Cheng et al. disclose a system for **installing** selected software on client computers (see Abstract). Thus, Eylon-Schmeidler and Cheng et al. mutually teach away from one another, since software installation and software streaming are incompatible with one another. Therefore, combining the teachings of Cheng et al. and Eylon-Schmeidler would not work for its intended purpose.

Claims 14, 27, and 40 are allowable for at least the reasons provided herein with claim 1. Claims 15-26, 28-39, and 41-52 are dependent, either directly or indirectly, on claims 14, 27, and 40, respectively. Moreover, claims 15-26, 28-39, and 41-52 recite additional features that independently render claims 15-26, 28-39, and 41-52 allowable over the cited art. For example, claims 20, 33, and 46 are allowable for an additional reason similar to that described above with reference to claim 7.

III. Conclusion

In view of the foregoing, applicants submit that the claims pending in the application comply with the requirements of 35 U.S.C. §112 and patentably define over the prior art. A Notice of Allowance is therefore respectfully requested.

If in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is encouraged to call the undersigned at (650) 838-4300.

Respectfully submitted,
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